

**RECEIVED
CENTRAL FAX CENTER****OCT 28 2008**60,469-093 PUS1
PA-000.05171-US**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application: Carl Q. Howard
Serial No.: 10/585,386
Filed: 07/06/2006
Group Art Unit: 3651
Examiner: Hess, Douglas A.
For: DEVICE TO REDUCE NOISE TRANSMISSION THROUGH
THE GAP BETWEEN ESCALATOR STEPS

NOTICE OF APPEAL

Mail Stop AF
Commissioner for Patents
P. O. Box 1450
Alexandria, VA 22313-1450

Dear Sir:

Applicant hereby appeals the final rejection of April 28, 2008. A Credit Card Payment Form in the amount of \$540.00 is attached. The Commissioner is authorized to charge Deposit Account No. 50-1482 in the name of Carlson, Gaskey & Olds for any additional fees or credit the account for any overpayment.

Applicant believes that extension fees are not required, as a response to the final office action was filed June 27, 2008, within two months after issuance of the final office action. An Advisory Action has not been received.

Dated: October 28, 2008

Respectfully submitted,

CARLSON, GASKEY & OLDS

By: 

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CERTIFICATE OF FACSIMILE

I hereby certify that this Notice of Appeal, relative to Application Serial No. 10/585,386 is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on October 28, 2008.


Theresa M. Palmateer

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CERTIFICATE OF FACSIMILE

I hereby certify that this Pre-Appeal Brief Request for Review, relative to Application Serial No. 10/585,386 is being facsimile transmitted to the Patent and Trademark Office (Fax No. (571) 273-8300) on October 28, 2008.


Theresa M. Palmateer

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